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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,044	11/04/2003	Michael G. Adlerstein	RTN2-153PUS	5522

22494 7590 06/22/2005

DALY, CROWLEY, MOFFORD & DURKEE, LLP  
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354A TURNPIKE STREET  
CANTON, MA 02021-2714

EXAMINER

NGUYEN, VINCENT Q

ART UNIT PAPER NUMBER

2858

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/701,044

Applicant(s)

ADLERSTEIN ET AL.

Examiner

Vincent Q. Nguyen

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 9-11, 14-17 and 20 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 8, 12, 13, 18, 19, 21-23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/28/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

#### ***Information Disclosure Statement***

2. The information disclosure statement filed 3/28/2005 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered. In addition, the search report for the PCT/US2004/036285 dated March 4, 2005 must be submitted.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, are rejected under 35 U.S.C. 102(b) as being anticipated by Djorup (4,793,182).

Regarding claim 1, Djorup discloses a circuit comprising (figure 1) a Wheatstone bridge (12, 21-23) having at least one element (12) thereof thermally responsive to the

Art Unit: 2858

radio frequency energy passing therethrough differently from radio frequency energy passing through at least one other element of the bridge (12, 21-23).

Regarding claim 2, Djorup discloses a Wheatstone bridge having a pair of parallel circuit paths disposed between a pair of input nodes, each path having a pair of serially connected elements (23, 25) (12, 12), each pair of elements in each one of the paths being connected at a corresponding one of a pair of output nodes, at least one element (12) in a first one of the pair (21, 12) of paths being thermally responsive to the radio frequency energy passing therethrough differently from radio frequency energy passing through at least one other element in the other one of the pair of paths.

5. Claims 1-4, 7, 9-11, 14-17, 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Strenglein (3,928,800).

Regarding claim 1, Strenglein discloses a circuit comprising (figure 1) a Wheatstone bridge (1, 2, 3, 4) having at least one element (4) thereof thermally responsive to the radio frequency energy passing therethrough differently from radio frequency energy passing through at least one other element of the bridge (1, 2, 3, 4).

Regarding claim 2, Strenglein discloses a Wheatstone bridge having a pair of parallel circuit paths disposed between a pair of input nodes (In fact the parallel path is true not only for the prior art of Strenglein but also true for any prior art of Wheatstone bridge), each path having a pair of serially connected elements (1, 2, 3, 4), each pair of elements (1, 2) in each one of the paths being connected at a corresponding one of a pair of output nodes, at least one element (4) in a first one of the pair (2, 4) of paths

being thermally responsive to the radio frequency energy passing therethrough differently from radio frequency energy passing through at least one other element in the other one of the pair of paths.

Regarding claim 3, Strenglein does not explicitly the input nodes is coupled to a source of the radio frequency energy but it is inherent that the input nodes is radio coupled to the radio frequency energy.

Regarding claim 4, Strenglein discloses a feedback loop (9) responsive to a voltage produced across the output node for providing a control voltage to the first one of the pair of input node.

Regarding claims 7, 9-11, 14-17, 20, Strenglein discloses a circuit for sensing radio frequency energy comprising (figure 1) a Wheatstone bridge having a pair of parallel circuit paths disposed between a pair of input nodes, each path having a pair of serially connected elements (1, 2, 3, 4), each pair of elements (1, 2) in each one of the paths being connected at a corresponding one of a pair of output nodes, at least one element (4) in a first one of the pair (2, 4) of paths being thermally responsive to the radio frequency energy passing therethrough differently from radio frequency energy passing through at least one other element in the other one of the pair of paths; wherein a first one of the input nodes is coupled to a source of the radio frequency energy (The input node is radio coupled to the RF energy) and to a source of dc voltage (The source supplies power to the system); and a feedback loop (9) responsive to a voltage produced across the output node for providing a control voltage to the first one of the pair of input node.

***Allowable Subject Matter***

Claims 5, 6, 8, 12, 13, 18, 19, 21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

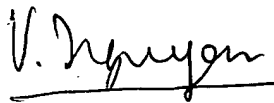
***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent Q. Nguyen whose telephone number is (571) 272-2234. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2858

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "V. Nguyen", with a horizontal line underneath.

June 20, 2005

Vincent Q. Nguyen  
Primary Examiner  
Art Unit 2858